



AP# JLR

Notice of Appeal From the Primary Examiner to the
Board of Patent Appeals and Interferences (37 CFR 1.191)

Date of Mailing: October 19, 2004

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In the United States Patent and Trademark Office

In re application of: Jimmie L. Johnson Docket No.: 1800-12-00

Serial No. 09/633,688 Group No.: 3762

Filed: August 7, 2000 Examiner: Joseph S. Machuga

For: CONSTITUENT DELIVERY SYSTEM

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to MAIL STOP AF, Commissioner for Patents, Alexandria, VA 22313-1450 on

OCTOBER 19, 2004

Leahel M. White
Signature

10/19/04
Date of Signature

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 19, 2004 finally rejecting claims 30-39

The item(s) checked below are appropriate:

1. **Status of Applicant**

This application is on behalf of
 a small entity

2. **Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

a small entity

Notice of Appeal fee due: \$ 170.00

3. **Extension of Term**

a) Extension requested:

Extension (months)	Fee for small entity
one month	\$ 55.00
two months	\$ 215.00
three months	\$ 490.00
four months	\$ 765.00
five months	\$1,040.00

Request Extension for 2 month(s) = Fee \$ 215.00

Extension fee due: \$215.00

10/25/2004 MAHMED1 00000041 09633688

01 FC:2401
02 FC:2252

170.00 OP
215.00 OP

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- An extension for _____ months has already been secured and the fee paid; therefore \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4.

Total Fee Due

The total fee due is:

Notice of Appeal fee \$170.00

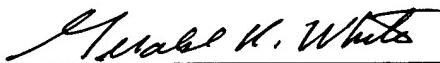
Extension fee (if any) \$215.00

Total Fee Due: \$ 385.00

5.

Fee Payment

Attached is Check No. 750 in the sum of \$ 385.00



Signature of attorney

Reg. No.: 26,611

Gerald K. White

Type or print name of attorney

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